REMARKS

The examiner and the undersigned held a telephone conference on September 3, 2009. The pending claims and the cited reference were discussed. No agreement on the final disposition of the claims was reached.

Claims 1-13 are pending in the present application. Claims 9-10 have been amended to correct a typographical error.

In the Final Office Action, claims 9-13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claims 9-10 have been amended to correct the typographical error that led to this rejection. Applicants therefore respectfully request that the Examiner's rejections of claims 9-13 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In the Office Action, the Examiner rejected claims 1-13 under 35 U.S.C. § 102(b) for allegedly being anticipated by Rosen (WO 02/093953). The Examiner's rejections are respectfully traversed.

Embodiments of the techniques described in the present application are used to reduce latency in push-to-talk systems. For example, the pending claims set forth a method of communicating with a dormant mobile station in which an indication-to-speak is provided to a first mobile station in response to receiving a page-event indication from a mobility data network that is formed by the mobility data network based on a page response signal received from the dormant mobile station. A connection with the dormant mobile station can then be formed concurrently with providing an indication-to-speak to the first mobile station.

Applicants note that the claimed page-event indication-to-speak approach differs from the conventional unconfirmed indication-to-speak technique because the claimed page-event

indication-to-speak is not provided until the mobility data network receives a page response, which indicates a high probability that the dormant mobile station will be available to receive communication from the first mobile station. Applicants also note that this approach differs from the conventional confirmed indication-to-speak technique because the claimed page-event indication-to-speak is provided before the mobile station establishes a traffic channel and before the mobile station successfully receives and responds by sending PoC signaling over the traffic channel, thereby accepting the incoming PoC call.

Rosen describes techniques for waking up dormant mobile units in a group of idle mobile units. In particular, Rosen describes techniques for re-establishing dedicated traffic channels for a talker mobile unit and one or more dormant listener mobile units by using short data burst message signaling. For example, a talker mobile unit may provide a floor-request message to a CM in short data burst form. The talker's mobile may begin buffering user media from this point forward. The CM may then grant the request and send pages to dormant listener mobile units. Listener traffic channels may then be established in response to page response messages received from the listener mobile units. Once all the listener mobile units have responded (or a wake-up timer expires), the CM begins streaming media from the talker mobile unit to the group. See document D1, paragraphs [0108-0119].

Applicants therefore respectfully submit that Rosen describes an unconfirmed indication-to-speak type of communication system. For example, Rosen states, "...a talker's mobile can signal the CM with an application layer floor-request message over some available reverse common channel. The talker's mobile may then begin buffering user media from this point forward." Subsequent to the talker's mobile unit beginning to buffer user media, the CM begins bursting a series of wake-up requests to the dormant mobile stations. See document D1,

paragraphs [0108--0112]. Applicants respectfully submit that this implies that the talker has received (perhaps implicitly) an <u>unconfirmed indication-to-speak</u>, *i.e.*, an indication that the requesting mobile station can begin buffering data <u>before the system has signaled the destination mobile stations to verify that they can accept an incoming PoC call</u>.

The drawbacks to using unconfirmed indication-to-speak techniques are described in the background section of the present application. Embodiments of the pending claims (as amended herein) address these drawbacks by providing an alternate technique, which is referred to in the application as a page-event confirmed indication-to-speak. The page-event confirmed indication-to-speak is only provided <u>after a page response has been received from the dormant mobile unit</u>. Once the page response has been received, the page-event confirmed indication-to-speak is provided concurrently with establishing traffic channels. Consequently, the page-event confirmed indication-to-speak has latency comparable to the unconfirmed indication-to-speak and accuracy comparable to the confirmed indication-to-speak.

For at least the aforementioned reasons, Applicants respectfully submit that Rosen does not disclose every limitation of the rejected claim in the same relationship to one another as set forth in the claim. Applicants therefore respectfully submit that the pending claims are not anticipated by Rosen and request that the Examiner's rejections of claims 1-13 under 35 U.S.C. § 102(b) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-7000 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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